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1. Response (3 pages);
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PTO/SB/97 (08-00)

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Attorney Docket No. 52493.000103

Application Serial No: 09/682,227

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JAN 30 2006

Application No.: 09/682,227
Attorney Docket No. 52493.000103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :)
Joseph A. King, Jr.) Group Art Unit: 3623
Application No.: 09/682,227) Examiner: Kalyan K. Deshpande
Filed: August 8, 2001)

For: "METHOD, SYSTEM AND TOOLS FOR PERFORMING BUSINESS-RELATED
PLANNING"

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 29, 2005, Applicant hereby traverses the restriction requirement and requests reconsideration and withdrawal of such requirement.

Claims 1-25 are presently pending in the application.

A. SUMMARY OF THE RESTRICTION REQUIREMENT

The Office Action asserts that restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-8, 10-22, and 24-25 are drawn to performing business planning using a structured process to provide a marketing solution to an organization, classified in class 705, subclass 10; and

II. Claims 9 and 23 are drawn to the details of the various stages of used in performing business planning, classified in class 705, subclass 10.

The Office Action asserts reasons as to why the inventions are distinct. In particular, the Office Action asserts that the inventions I and II are related as combination and subcombination.

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B. ELECTION

In the event that the election requirement is not withdrawn, Applicant hereby provisionally elects Invention I of Claims 1-8, 10-22, and 24-25, with traverse.

C. TRAVERSAL

Applicant respectfully traverses the restriction requirement. It is respectfully submitted that, due to the related subject matter of the claims (and since the two Groups possess the same classification in class 705, subclass 10), a complete and thorough search of the claims identified above as belonging to Group I would involve a search of the areas relevant to the non-elected claims. Accordingly, Applicant submits that the burden on the Examiner does not warrant requiring Applicant to pay duplicative PTO fees and perform duplicative prosecution to obtain patent protection for the present invention.

D. CONCLUSION

Applicant believes that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

Application No.: 09/682,227
Attorney Docket No. 52493.000103

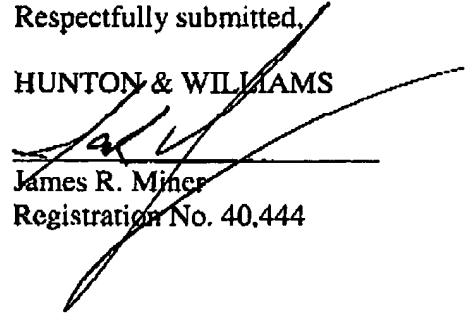
The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

Date: JAN. 30 2006

By:


James R. Mince
Registration No. 40,444

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